BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

NORRIS SCHOOL DISTRICT.

OAH CASE NUMBER 2020010423

ORDER GRANTING MOTION TO AMEND COMPLAINT

MAY 7, 2020

On January 14, 2020, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Norris School District. The Office of Administrative Hearings is referred to as OAH. On May 6, 2020, the parties jointly filed a stipulation to allow an amendment to the complaint and a request to continue the current hearing dates to September 2020. The joint stipulation will be considered as a motion to amend the due process hearing request. Student concurrently filed a First Amended Request for Due Process hearing.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before the due process hearing. (20 U.S.C.

§1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend was filed more than five days prior to the due process hearing. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order.

OAH will issue a scheduling order with the new videoconference hearing dates, rendering the parties' request for continuance of the current hearing dates moot.

IT IS SO ORDERED.

DocuSigned by:
Adrienne L. Krikorian
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Adrienne L. Krikorian
Administrative Law Judge
Office of Administrative Hearings